



**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS**

**DEPARTMENT OF CORRECTIONS**

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Part	Section	Subject	Policy No.	Review Date
Administration and Management	Personnel	Equal Employment Opportunity Program (EEOP)	1.3.9	
<b>ACA Standards</b>	3-ALDF-1C-07 Equal Employment Opportunity			
<b>Consent Decree</b>	Paragraph 54, develop facility policies and procedures			

## **I. PURPOSE**

To establish and define the policy for the Department of Corrections (DOC) concerning fair employment practices and to ensure equal employment opportunities, free from harassment or discrimination, to all employees and applicants for employment.

## **II. POLICY**

It is the policy of DOC that the personnel service system will be applied and administered according to the principles of equal opportunity for all citizens and nationals as defined in the Northern Marianas Commonwealth Constitution, regardless of age, race, sex, religion, political affiliation or belief, marital status, disability, or disability.

DOC does not condone and will not tolerate discrimination in any form in its employment policies and actions, or in the conduct of its employees. The Department will vigorously enforce a policy of non-tolerance for sexual harassment in its workplace and among its workforce. All employees of the department possess the right to a workplace free from threat, harassment or coercion. It is committed to guaranteeing these rights to its employees.

DOC is an Equal Employment Opportunity (EEO) employer committed to the principles of this policy and procedures.

## **III. DEFINITIONS**

**Commission** – Civil Service Commission

**Employee** – An individual employed by the Department of Corrections

**Equal Employment Opportunity Commission (EEOC)** – Created by Title VII of the Civil Rights Act of 1964

**Equal Employment Opportunity** – DOC is an Equal Employment Opportunity (EEO) employer committed to the principles of this policy and procedures.

#### **IV. PROCEDURES**

##### **A. Authority**

Pursuant to the Civil Rights Act of 1964, as Amended, CNMI Constitution Section 6, Commonwealth Code Title 1 Section 8102, Part 1.Ba and V.F1 of the Personnel Service Rules and Regulations, and Parts IV.C and IV.D of the Excepted Service Personnel Regulations, it is required that equal opportunity and nondiscrimination be provided to all U.S. citizens and legal resident workers in government employment.

##### **B. Equal Employment Opportunity Program Organizational Structure**

Employees of the Department should be guided by the following when reporting perceived discrimination in the workplace:

1. Governor: Chief Executive Officer of the Government of the Commonwealth of the Northern Mariana Islands and Equal Employment Officer for the Commonwealth. The Governor has the authority to institute and maintain a legally compliant Equal Employment Opportunity Program and to require all departments and activities to ensure full and fair implementation of the program's principles.
2. Director of Personnel: Deputy Equal Employment Officer for the Commonwealth with the authority to develop EEO policies, implements the programs, and oversees its operations. The Director provides expert advice, analysis and evaluation on EEO matters to the Governor. The Director appoints an EEO Coordinator in the Office of Personnel Management.
3. Commissioner of Corrections: Is the EEO Officer for the Department of Corrections and is responsible for establishing a formal EEO policy for the Department and to ensure that the policy is implemented. The Commissioner appoints the Director of Corrections as the Deputy EEO Officer and one permanent employee as DOC/EEO Coordinator, who has advanced administrative and analytical abilities to manage the Department's EEO program.
4. Director of Corrections: Deputy EEO Officer for the Department of Corrections.
5. DOC/EEO Coordinator: Is responsible in managing the DOC/EEO program.
6. DOC/EEO Counselor: Is responsible in providing assistance and guidance to DOC staffs regarding this policy and procedures as well as the policies and procedures of the Office of Personnel Management.

**C. Equal Employment Opportunity Program**

1. In order to ensure nondiscrimination, the Department will follow the applicable guidelines established by the Equal Employment Opportunity Commission and the Personnel Service System Rules and Regulations (PSSR&R).
2. The Department will treat each person with respect, dignity, and integrity and will prohibit discrimination of any form between the employer-employee and applicant relationship.
3. No employee will discriminate against another employee or applicant
4. It is the responsibility of each employee to ensure the opportunity for equal employment, and to maintain a non-discriminatory work environment. Failure to comply with this policy and procedures may result in the employee being disciplined.
5. Management and supervisors will be responsible for reviewing and enforcing Equal Employment Opportunity policies and procedures with those personnel under their command.
6. Job applicants, or other interested individuals, will be informed when requested about the Department's commitment to Equal employment Opportunity.
7. Impartial selection of the most qualified applicant for government service by means competitive competition or tests, which are fair, objective, and practical.
8. Just opportunity for competent employees to be promoted within the Service.
9. Reasonable job security for the competent employees.
10. Systematic classification of all positions and personnel through adequate job descriptions and periodic performance evaluations.
11. Fair and practical grievance procedures for all employees pertinent to conditions of employment.
12. Flexibility in employer-employee relations to achieve and maintain a well-trained, productive, and happy work force.
13. This Equal Employment Opportunity policy and procedures will be reviewed annually by the DOC/EEO Coordinator to ensure that the Department's employment policies, practices, and procedures remain relevant and in accordance with EEOC and PSSR&R.
14. The DOC Administrative Services, Personnel Section will maintain records of recruitment and selection activities, tracking rejection and selection decisions to ensure decisions are made regardless of race, color, religion, sex, national origin, place of origin, marital status, political affiliation, or disability.

#### **D. Complaint**

1. Whenever an employee believes discrimination has occurred, the employee will meet with the DOC/EEO Coordinator and complete the Professional Standards Unit (PSU) Complaint Report form. Alleged discrimination complaint will be submitted directly to the DOC/EEO Coordinator immediately, but not later than 180 days after the alleged occurrence.
2. Shift Commanders or supervisors shall, immediately, forward complaints of discrimination in employment to the DOC/EEO Coordinator or to the Commissioner of Corrections.
3. All discrimination complaints, regardless whether it is oral, written or anonymous must be accepted and reported to the DOC/EEO Coordinator.
4. If an employee feels uncomfortable to report a discrimination complaint, the employee may request a third party to file a complaint for the employee.
5. An employee does not have to file discrimination complaint to the DOC/EEO Coordinator. The complaint can be filed directly with the Personnel EEO Coordinator or to the EEOC.
6. The employee has the right to seek legal remedies with respect to alleged discrimination.
7. Upon receipt of a discrimination complaint report, the DOC/EEO Coordinator will inform the Commissioner of Corrections, Director of Corrections, Deputy Director of Corrections and Operations Captain.
8. DOC/EEO Coordinator will seek all relevant information from the employee and consult with the Commissioner of Corrections as to appropriate action that needs to be taken to minimize the problem. The employee will be informed on the actions that will be taken.
9. The Commissioner of Corrections will request the PSU investigator to investigate the alleged complaint in accordance with the PSU policy and procedures.
10. Upon completion of the investigation, the PSU investigator will submit a report to the Commissioner of Corrections as to its findings and recommendations in accordance with the PSU and Standards of Conduct policies and procedures.
11. A copy of the report will be submitted to the EEO Coordinator at the Office of Personnel Management.
12. Any retaliation, coercion, or intimidation (directly or indirectly) against a complainant, the complainant's representative, or other witnesses is prohibited

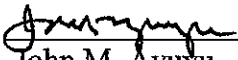
and will serve as the basis for disciplinary and/or dismissal of any employee found guilty of violating this section.

13. The Commissioner of Corrections will inform all DOC employees through memorandum on the appointments of the DOC/EEO Coordinator and Counselors and their roles should they need their assistance.

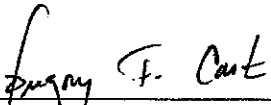
#### **E. Training**

DOC/EEO Coordinator and DOC/EEO Counselors will attend trainings relating to this policy that are provided by the Office of Personnel Management to ensure that the DOC is kept abreast on new policies and procedures issued by the Office of Personnel Management.

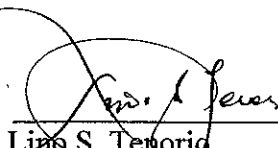
The Department of Corrections recognizes that applicable CNMI/Federal laws and provisions of the CNMI Government Property Management Policies and Procedures preside over this policy and procedures.

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10-25-07  
Date

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Director of Corrections

10/25/07  
Date

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Commissioner of Corrections

10/31/07  
Date